

Re'D PTO 02 NOV 2005

NOV-02-2005 14:39

BURNS DOANE SWECKER MATHI

P. 01/09

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ATTORNEYS

Including attorneys from Burns Doane Swecker & Mathis

### Facsimile Cover

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Date: November 2, 2005

**TO:** Karen McLean

**Fax Number:** 703-746-6698 **Company:** U.S. PTO

**Telephone:** 703-308-9140 (X214) **Your Reference:** 10/501,985

**FROM:** Melissa Snyder *Melissa Snyder*

**Telephone:** 703.299.6906 **Our Reference:** 022702-099

**Sent By:** Melissa Snyder **Number of Pages:** 9  
**Including Cover:**

### Message

Re: U.S. Patent Application No. 10/501,985

Filing Date: July 21, 2004

Title: Mesostructured Materials Integrating Nanometric Crystalline Particles  
Comprising a Metal in Solid Solution within their Crystalline Lattice (as amended)

Dear Ms. McLean:

Further to your telephone discussion with Teresa Stanek Rea on October 31, 2005 and our telephone discussion of today in connection with the above-captioned application. As requested, attached is a copy of all papers filed at the U.S. Patent and Trademark Office on March 22, 2005, including:

- Date-stamped Post Card
- Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) concerning a Filing under 37 C.F.R. 371
- U.S. PTO Credit Card Form
- Return copy - Notification of Missing Requirements
- Executed Combined Declaration and Power of Attorney

VA 806600.1

Washington :: DC :: Virginia :: Florida :: New Jersey :: Delaware :: Ohio :: California  
PAGE 1/9 \* RCVD AT 11/2/2005 2:37:38 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-5/24 \* DNIS:7466698 \* CSID: \* DURATION (mm:ss):02-58

NOV-02-2005 14:40

BURNS DOANE SWECKER MATHI

P. 02/09

Patent Re

Postcard

2-D

Inventor: Marc Airiau et al.

Docket No.: 022702-099

Dkt. Clerk Initials

Appn. No.: 10/501,985

Filing Date:

July 21, 2004

Working Atty.: Teresa Stanek Rea / rsc

Date:

March 22, 2005

**The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:**

- Amendment or Response  
 Preliminary Amendment  
 Amendment/Reply Transmittal Letter  
 Petition for \_\_\_\_\_ Month Extension of Time  
 Submission of Formal Drawings w/ \_\_\_\_\_ sheet(s) of drawings (Fig(s). 1-\_\_\_\_\_ )  
 Request for Approval of Drawing Changes w/ \_\_\_\_\_ sheet(s) of red ink drawings  
 Notice of Appeal  
 Appeal Brief  
 Request for Oral Hearing  
 Reply Brief  
 Response to Restriction Requirement or Election of Species  
 Terminal Disclaimer  
 Certificate Under 37 C.F.R. 3.73(b)  
 Transmittal Letter for Missing Parts of Application

- Executed Declaration/Power of Attorney  
 Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)  
 Submission of Certified Copy of Priority Document w/ \_\_\_\_\_ certified copy(ies)  
 Information Disclosure Statement Transmittal  
 Information Disclosure Citation (PTO-1449)  
 Information Disclosure Statement w/ \_\_\_\_\_ document(s)  
 Request for Corrected Notice of Recordation of Assignment w/Copy of Notice  
 Request for Continued Examination  
 Issue Fee Transmittal  
 Status Inquiry  
 Submission of Corrected Drawings  
 Payment of Issue Fee and Authorization to charge Deposit Account  
 Request for Refund

- Request for Corrected Filing Receipt w/copy of Official Filing Receipt  
 Supplemental Application Data Sheet  
 Substitute Specification (clean/marketed copies)  
 Check for \$ \_\_\_\_\_ is enclosed  
 Check for \$ \_\_\_\_\_ is enclosed  
 Charge \$ \_\_\_\_\_ to Deposit Account  
 Charge \$ 130.00 to credit card. Form PTO-2038 is attached.  
 Filed by Certificate of Mail  
 Notification of Missing Requirements



If submitting documents via Express Mail, provide the Express Mailing Label No. below.

Express Mail Mailing Label No.

NOV-02-2005 14:40

BURNS DOANE SWECKER MATHI

Signature for Form PTD-1590		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
				022702-099
		TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
		INTERNATIONAL APPLICATION NO. PCT/FR03/00167		10/501,985
		INTERNATIONAL FILING DATE 20 January 2003 (20.01.2003)		PRIORITY DATE CLAIMED 21 January 2002 (21.01.2002)
TITLE OF INVENTION		MESOSTRUCTURED MATERIALS INTEGRATING NANOMETRIC CRYSTALLINE PARTICLES COMPRISING A METAL IN SOLID SOLUTION WITHIN THEIR CRYSTALLINE LATTICE (AS AMENDED)		
APPLICANT(S) FOR DO/EO/US		AIRIAU, Marc; and CHANE-CHINE, Jean-Yves		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a FIRST submission to items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11 to 21 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <u>Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US)</u></li> </ol>				

DOCKETED  
filed 3-22-05 JD

NOV-02-2005 14:40

Par'd PCT/PCT

02 NOV 2005

P.04/09

U.S. APPLICATION NO. (if known, see R 1.5) **10/501,985**

BURNS DOANE SWECKER MATHI

INTERNATIONAL APPLICATION NO.

PCT/FR03/00167

...TOMLIN'S DOCKET NUMBER

022702-089

21.  Applicant(s) requests that the published application include the following assignment information:

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**CALCULATIONS PTO USE ONLY**

22.  The following fees are submitted:

**Basic Filing Fee (1631)**

\$ 0.00

Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).

 20  30

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total Claims	-20 =	0	x \$50.00 (1615)	\$ 0.00
Independent Claims	-3 =	0	x \$200.00 (1614)	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00 (1616)	
Examination Fee			+ \$200.00 (1633)	\$ 0.00
Search Fee			+ \$500.00 (1632)	\$ 0.00

App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)

**TOTAL OF ABOVE CALCULATIONS =**

\$ 0.00

 Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

+

\$ 0.00

**SUBTOTAL =**

\$ 0.00

Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).

 20  30

\$ 0.00

**TOTAL NATIONAL FEE =**

\$ 0.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +

**TOTAL FEES ENCLOSED =**

\$ 0.00

Amount to be refunded :

charged :

- a.  A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 02-4800 in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.
- d.  Charge \$ 130.00 to credit card. Form PTO-2038 is attached.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Burns, Doane, Swecker & Mathis, L.L.P.  
 P.O. Box 1404  
 Alexandria, Virginia 22313-1404  
 (703) 836-6620

SIGNATURE

Teresa Stanek Rea

NAME

30,427	March 22, 2005
REGISTRATION NO.	DATE

PTO-2038 (02-2003)

Approved for use through 02/28/2006. OMB 0651-0043

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## United States Patent and Trademark Office

### Credit Card Payment Form

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Name as it Appears on Credit Card: Applications Burns Doane

Payment Amount: \$ (US Dollars): \$130.00

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Date: March 22, 2005

**Refund Policy:** The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The office will not refund amounts of \$25.00 or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR § 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.

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Country: UNITED STATES OF AMERICA

Daytime Phone #: (703) 836-6620 Fax #: (703) 836-2021

#### Request and Payment Information

##### Description of Request and Payment Information:

Missing Requirement fees

<input checked="" type="checkbox"/> Patent Fee	<input type="checkbox"/> Patent Maintenance Fee	<input type="checkbox"/> Trademark Fee	<input type="checkbox"/> Other Fee
Application No. 10/501,985	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 022702-099		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

NOV-02-2005 14:41

BURNS DOANE SWECKER MATHIS

P. 06/09

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,985	Marc Airiau	022702-099

INTERNATIONAL APPLICATION NO.	
PCT/FR03/00167	

IA. FILING DATE	PRIORITY DATE
01/20/2003	01/21/2002

21839  
 BURNS DOANE SWECKER & MATHIS LLP  
 POST OFFICE BOX 1404  
 ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 3366

371 FORMALITIES LETTER

\*OC000000015138183\*

Date Mailed: 02/10/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/21/2004
- English Translation of the IA filed on 07/21/2004
- Copy of the International Search Report filed on 07/21/2004
- Preliminary Amendments filed on 07/21/2004
- Information Disclosure Statements filed on 07/21/2004
- U.S. Basic National Fees filed on 07/21/2004

NHS/KSR/NW

Cm

2-14-05

Cm

NAU-mas-2/17/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

20/11/05

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,985	PCT/FR03/00167	022702-099

FORM PCT/DO/EO/905 (371 Formalities Notice)